

02-6-04

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

:

H. Downman McCarty, Jr.
and Brooke Schumm III

:

Appl. No. 10/625,149

:

Examiner: Not yet known

Filed: July 23, 2003

:

Group Art Unit 3724

For: AN ANTI-SPALLING COMBINATION ON AN IMPACT TOOL
WITH AN IMPROVED HOLDING SYSTEM

Honorable Commissioner
of Patents and Trademarks
Washington, D.C. 20231

CONTINUATION AND PRIORITY DATA


Continuation in part of PCT/US02/23448 and entry into the national stage of
PCT/US02/23448, continuation in part of U.S. provisional applications 60/307,198 filed on July
23, 2001, and 60/356,804 filed on February 13, 2002

PRELIMINARY AMENDMENT

Please find enclosed a preliminary amendment to Claim 45 clarifying the comparison
referenced in the claim. After the words in the closing paragraph of claim 45 "compared to
cutting effectiveness", the words "--of a chisel with a standard 65-70 degree included angle- -"
should be inserted followed by the remainder of the sentence. The phrase now reads: "compared
to cutting effectiveness of a chisel with a standard 65-70 degree included angle without said
shaped polymeric material disposed adjacent[added language underlined]" The object of the
comparison was accidentally omitted.

A clean optically scannable copy of all claims and redline of all claims (with only claim
45 amended) are enclosed.

Dated: 2/4/2004



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CERTIFICATE OF SERVICE BY EXPRESS MAIL

I certify that I caused the above Preliminary Amendment and a postcard to be sent this 4th day of February, 2004 by Express Mail Number EF 227265449 US with sufficient postage addressed to the Assistant Commissioner of Patents, Mail Stop Patent Application, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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Date 2/4/2004

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